

APR 16 2007

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FROM: Peng Chen, Reg. No. 43,543

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**Comments:**

Attorney Docket: 584212002300  
Group Art Unit: 1614  
Examiner: Not Yet Assigned  
Serial No. 10/541,886  
Filing Date: (Int'l) December 24, 2003  
Inventor(s): Ulrich BETZ et al  
Title: METHOD FOR INHIBITING THE REPLICATION OF HERPES  
VIRUSES

**Papers attached:**

1. Transmittal Form (1 page)
2. Statement Under 37 CFR 3.73(b) (1 page)
3. Power of Attorney to Prosecute Applications Before the USPTO (1 page)

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SD-368036

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PTO/SB/21 (09-08)


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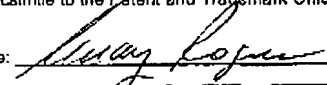
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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	10/541,886	
	Filing Date	(Int'l) December 24, 2003	
	First Named Inventor	Ulrich BETZ	
	Art Unit	1614	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	4	Attorney Docket Number	584212002300

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address (1 page) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement Under 37 CFR 3.73(b) (1 page) Fax Cover Sheet to USPTO (1 page)
Remarks <div style="text-align: center; font-weight: bold;">CUSTOMER NO. 25225</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Peng Chen		
Date	April 12, 2007	Reg. No.	43,543

I hereby certify that this paper is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: April 16, 2007	Signature:  (Lensy Rogus)

sd-358039

1043POA/US (WO)

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**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

25225

OR

☐ Practitioner(s) named below (If more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

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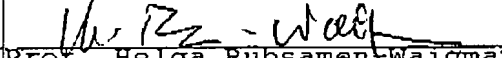
Assignee Name and Address:

AiCuris GmbH & Co. KG  
 Aprather Weg 18a  
 42117 Wuppertal  
 Germany

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee.

Signature		Date	02.03.2007
Name	Prof. Helga Rubsamen-Waigmann	Telephone	+49 202 31763 1111
Title	Managing Director		

SD-349611

PTO/SB/98 (12-05)

Approved for use through 07/31/2006. OMB 0851-0031

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Ulrich BETZ et al.

Application No./Patent

10/541,886

Filed/Issue Date:

(Int'l) December 24, 2003Entitled: METHOD FOR INHIBITING THE REPLICATION OF HERPES VIRUSESAiCuris GmbH & Co. KG

(Name of Assignee)

, a

company

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a true copy of the original assignment is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

Ulrich BETZ, Guy HEWLETT, Gerald KLEYMANN,  
Thomas LAMPE, Tse-I LIN, Susanne NIKOLIC, Jorgen  
REEFSCHLAGER, Tobias WUNBERG, Holger  
ZIMMERMANN, Franz ZUMPE, Wolfgang BENDER,  
Kerstin HENNINGER, Axel JENSEN, Jorg

1. From: KELDENICH and Rudolf SCHOHE-LOOP To: Bayer HealthCare AG

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Reel 017829, Frame 0935, or for which a copy thereof is attached.

2. From: Bayer HealthCare AG To: AiCuris GmbH & Co. KG

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Helga Rübsamen-Waigmann  
Signature

02.03.2007

Date

Prof.Dr. Helga Rübsamen-Waigmann

Printed or Typed Name

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Telephone Number

Managing Director

Title

Attorney Docket No. 584212002300

SD-350461